

REMARKS

In the above referenced Office Action the Examiner rejected Claims 1, 6-12,16,18-20 under 35 U.S.C. 103(a) as being unpatentable over Krekeler '637 in view of Krekeler '206. To support this rejection the Examiner stated, "Krekeler '637 discloses a retaining system (see Fig. 4) for securing a cutting tool to a support block, said retaining system comprising: at least one groove (22) having a first predetermined shape, formed in an outer surface of a shank portion of said cutting tool intermediate each end thereof, said groove being formed in a direction transverse to a longitudinal axis of said shank; at least one groove (23) having a second predetermined shape, formed in a surface of a bore formed through an axis of said support block for receiving therein said shank portion of said cutting tool, said at least one groove formed in said outer surface of said shank portion of said cutting tool being substantially radially opposed to said at least one groove formed in said surface of said bore formed through said axis of said support block when said shank portion is inserted into said bore of said support block; and at least one rolled spring steel pin member (24) (see col. 4 lines 15- 25) engageable with each of said at least one groove formed in said outer surface of said shank portion said cutting tool and said at least one groove formed in said surface of said bore formed through said axis.

Krekeler '637 discloses the invention substantially as claimed. However, Krekeler '637 is silent about including at least two grooves and pins. Krekeler '206 teaches at least two grooves and pins (see Fig. 19, col. 10). It would have been considered obvious to one of ordinary skill in the art to modify Krekeler '637 to include at least two grooves and pins as taught by Krekeler '206 in order to more securely retain the tool within the holder."

This rejection is believed to have been rendered moot by the Amendment to Claim 1 which now specifically recites, "...for securing a cutting tool to a support block in a rotatable manner..." and "...at least one groove, having a first predetermined shape and a first predetermined size..." and further wherein "...at least two grooves, each having a second predetermined shape and a second predetermined size which is larger than said first predetermined size thereby permitting rotation of said cutting tool in said support block, formed in a surface of a bore formed through an axis of said support block...". Clearly this combination is not taught or suggested by the cited references. In fact the '206 reference teaches away from a rotatable tool. See the first line of the abstract.

Next, the Examiner rejected Claims 1, 6-12,16,18-20 under 35 U.S.C. 103(a) as being unpatentable over Krekeler '637, stating, "Krekeler '637 discloses the claimed invention except

for at least two grooves and pins. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Krekeler '637 to include at least two grooves and pins, since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8. This rejection has also been rendered moot by the above described amendment to claim 1.

The Examiner further rejected Claims 1, 6-12, 16, 18-20 are rejected under 35 U.S.C. 1 03(a) as being unpatentable over Snipe or Morrow or Krekeler /206 or Krekeler '728 (US 3268260, 3498677 I 3622206, 3690728), stating "Snipe, Morrow, Krekeler '206, Krekeler /728 all disclose the claimed invention except for at least two pins in their grooves. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify either Snipe or Morrow or Krekeler '206 or Krekeler '728 to include at least two pins, since it has been held that constructing a formerly integral structure in various elements involves only routine skill in the art. *Nerwin v. Erlichman*, 168 USPQ 177, 179." These references all fail to teach the size relationship between grooves in the shank of the tool and in the tool holder as now specifically claimed.

Thereafter, the Examiner rejected Claims 1, 6-12, 16, 18-20 under 35 U.S.C. 1 03(a) as being unpatentable over Hansen et al.

or Krekeler '764 or Kniff et al., Krekeler '359 or Vasek or Stewart (US 3268260, 3498677, 3622206, 3690728, 3796464, 3834764, 3841708, 3856359, 4222446, 5810102) in view of Krekeler '206, stating, "Hansen et al., Krekeler '764, Kniff et al., Krekeler '359, Vasek and Stewart all disclose a retaining system for securing a cutting tool to a support block. Hansen et al., Krekeler '764, Kniff et al." Krekeler '359, Vasek and Stewart all disclose the invention substantially as claimed. However, they are all silent about including at least two grooves and pins, Krekeler '206 teaches at least two grooves and pins (see Fig. 19, col. 10). It would have been considered obvious to one of ordinary skill in the art to modify either Hansen et al. or Krekeler '764 or Kniff et al., Krekeler '359 or Vasek or Stewart to include at least two grooves and pins as taught by Krekeler '206 in order to more securely retain the tool within the holder." As discussed above these references also all fail to teach the size relationship between grooves in the shank of the tool and in the tool holder as now specifically claimed.

The Examiner then rejected Claims 1,6-12,16,18-20 under 35 U.S.C. 103(a) as being unpatentable over Hansen et al. or Krekeler '764 or Kniff et al., Krekeler '359 or Vasek or Stewart (US 3268260, 3498677, 3622206, 3690728, 3796464, 3834764, 3841708, 3856359, 4222446, 5810102). To support this rejection the examiner stated, "Hansen et al., Krekeler '764, Kniff et al.,

Krekeler '359, Vasek and Stewart all disclose the claimed invention except for at least two grooves and pins. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify either Hansen et al. or Krekeler '764 or Kniff et al., Krekeler '359 or Vasek or Stewart to include at least two grooves and pins, since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8." These references, as discussed above, all fail to teach the size relationship between grooves in the shank of the tool and in the tool holder as now specifically claimed.

Further, the Examiner rejected Claims 1, 3-12, 16, 18-20 under 35 U.S.C. 103(a) as being unpatentable over Bower, Jr. (US 3493268) in view of Krekeler '206, stating, "Bower, Jr. discloses the invention substantially as claimed (see Figures). However, Bower, Jr. is silent about including at least two grooves and pins. Krekeler '206 teaches at least two grooves and pins (see Fig. 19, col. 10). It would have been considered obvious to one of ordinary skill in the art to modify Bower, Jr. to include at least two grooves and pins as taught by Krekeler '206 in order to more securely retain the tool within the holder." These references all fail to teach the size

relationship between grooves in the shank of the tool and in the tool holder as now specifically claimed.

Next, the Examiner rejected Claims 1, 3-12, 16, 18-20 under 35 U.S.C. 103(a) as being unpatentable over Bower, Jr. (US 3493268), stating, "Bower Jr. discloses the claimed invention except for at least two grooves and pins. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Bower Jr. to include at least two grooves and pins, since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8." This reference fails to teach the size relationship between grooves in the shank of the tool and in the tool holder as now specifically claimed.

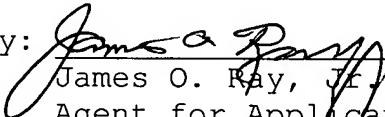
Finally, the Examiner rejected Claims 1,2-12,16,18-20 under 35 U.S.C. 103(a) as being unpatentable over Wipo document (WO 00/34626) in view of either Snipe or Morrow or Krekeler '206 or Krekeler '728 (US 3268260,3498677,3622206, 3690728, stating, "Wipo '626 discloses the invention substantially as claimed (see Figure 16). However, Wipo '626 is silent about including a groove in the shank of the cutting tool and at least two pins for the grooves (46). Snipe, Morrow, Krekeler '206, Krekeler '728 all teach a groove in the shank of a cutting tool. It would have been considered obvious to one of ordinary skill in the art

to modify Wipo '626 by including a groove in the tool's shank as taught by either Snipe or Morrow or Krekeler '206 or Krekeler '728 since this would facilitate insertion because the pin will contract to permit insertion and due to its resiliency property rebound to retain the cutting tool in its holder.

With regards to the at least two pins limitation, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Wipo '626 to include at least two pins, since it has been held that constructing a formerly integral structure in various elements involves only routine skill in the art. *Nerwin v. Erlichman*, 168 USPQ 177, 179." These references all fail to teach the size relationship between grooves in the shank of the tool and in the tool holder as now specifically claimed.

In the event the Examiner has further difficulties with the allowance of the application, he is invited to contact the undersigned attorney by telephone at (412)380-0725 to resolve any remaining questions or issues by interview and/or by Examiner's amendment as to any matter that will expedite the completion of the prosecution of the application.

Respectfully submitted,

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